



Town of Sunset Beach Planning Board Meeting

Meeting Minutes of December 15, 2016

Members Present: Chairperson Tom Vincenz, Greg Jensen, Noelle Kehrberg, Len Steiner, Bob Tone

Members Absent: None

Staff Present: Richard Hathcock, GIS Planner; Cindy Nelson, Planning Board Secretary

Others Present: Wes Macleod, Cape Fear Council of Government (COG); John Corbett, Town Council Member; Peter Larkin, Town Council Member

Chairperson Vincenz called the meeting to order at 9:00 a.m. and established that a quorum was present.

Amend or Approve Agenda:

Chairperson Vincenz suggested an agenda change; to move old business agenda item d. ahead of agenda item c. This will allow a better understanding of what is being proposed for Pelican Square. The Board unanimously approved the agenda change.

The Pledge of Allegiance was recited by all in attendance.

Postponement or Withdrawal Requests: None

Public Comments: None

Consideration of Approval of Minutes: Consideration of approval of minutes from the December 1, 2016 meeting. Corrections were needed.

CHAIRPERSON VINCENZ ASKED FOR A MOTION TO APPROVE AS CORRECTED.
MOTION MOVED BY LEN STEINER. SECOND WAS MADE BY NOELLE KEHRBERG.
MOTION CARRIED UNANIMOUSLY.

Old Business

a. TA-16-05: Amend Article 2 of the UDO Regarding the Maintenance of Bulkheads, Docks and Piers. Discussion w/Attachment.

Some discussion ensued on this topic of which has had extensive consideration. It has yet to be determined if the Town can fine or place a lien on a property if a property owner does not comply with the need to make repairs. The Town Attorney has still not given instructions on how or if this could be enforced. Chairperson Vincenz said to go ahead and advertise for public hearing as the Board was in agreement to move forward. This will be on the agenda for the January 19th meeting for a public hearing. No action needed.

b. TA-16-15: Amend the UDO to Require the Completion of Infrastructure Prior to Final Plat Approval for Subdivisions. Discussion w/Attachment.

The Board wished to proceed with advertising for a public hearing at the January 19, 2017 meeting. No action needed.

c. Pelican Square Redevelopment-Lat Purser. Discussion w/Attachment. Moved from item d. as addressed with agenda approval.

Lat Purser presented information to the Board and discussion took place.

Lat said they were still in the process of studying what could be done at this site. Nothing has changed since the last presentation which was on October 6, 2016. He added that he has had a couple general contractors look at the existing structure and how it could be demolished and a new structure built. Lat will work within the text amendment approval. He is also looking for future tenants to occupy the new commercial space to justify the cost of redevelopment.

The text amendment is to allow residential uses behind the commercial building. The concept for the proposed development is for a village type atmosphere. Multi-family is a distant thought as this is an expense and hardship to manage.

Lat continued: The empty lot, toward the front of the property, between BB&T and Hardees is for sale and he explained that he has talked with a couple retailers who have expressed interest in purchasing that space.

The residential homes would be smaller higher quality bungalows with an average of 1,000 to 1,200 square feet of space. This is still conceptual at this time.

Lat: The most critical concern is to sell commercial space so money is available to move forward. This would be a Phase 1 for this project. We are looking to close on the properties in March. Wes added that the proposed building would need to work within parking regulations but that this should not be too much of a hardship.

The Planning Board was satisfied with the presentation and would like to move forward with TA-16-16.

d. TA-16-16: Amend Article 6.06 (D) to Provide Dimensional Standards for Residential Development in the MB-1 Zoning District. Discussion w/Attachment.

Wes read through the changes he made as per the discussion at the December 1, 2016 meeting.

Some of those changes were to omit “zero lot line” and keep the building height requirement of 35 feet.

The 30% impervious coverage standard is best worked out by an engineer. This is standard common throughout all the zoning districts. Wes offered to have Michael Norton, who works with stormwater engineering, talk about this further in detail to aid the Planning Board in understanding the rule. Wes said for the sake of this text amendment, the provision is acceptable.

Chairperson Vincenz said Lat could move forward with what he would like to do while these issues are worked through. TA-16-16 will remain on the agenda until it is in satisfactory form for approvals.

Changes could be made to the current stormwater standard, however that would be better for consideration under a new text amendment as this is a separate concept from what is being proposed in TA-16-16.

New Business

a. RZ-16-01: Riverside Drive Subdivision Zoning Map Amendment. Discussion w/Attachment.

Wes explained to the Board that it has been discovered after the Riverside subdivision was approved that there are some zoning inconsistencies which have created non-conforming lots. There are two zoning districts the subdivision now falls under, BR-2 and CR-1. The lots can still be built on as long as setback requirements are met. However, the setback requirements have drastically changed between BR-2 and CR-1. The intent of this zoning map amendment is an attempt to correct the situation and to place all the lots within the BR-2 zoning district which was what was originally understood to have been at the time of development approvals. The zoning

was not investigated as much in depth as it should have been. The rezoning will go through the process of advertisement and notification sent to property owners and abutting property owners prior to Planning Board consideration at the January 19th meeting.

Chairperson Vincenz said according to the map he has, it shows some lots have zoning lines going through all or some part of a lot and some lots are in all one zone. Is there a rule as to which zone would prevail?

Wes answered that UDO is specific in how to address this. The standards would need to be met according to the zone it is in. The complication that comes with many of these lots is that the lot line is measured from the street. And for some of the lots the setback has become much more stringent.

Chairperson Vincenz said so much attention has surrounded this development. What can the Planning Board do for future approvals so this does not happen again? Wes answered that the people who are making the determinations need to be sure of zoning. And, he added, this should have never happened. In addition this property was exempt from subdivision review so the discrepancy was not found from the beginning.

With no other discussion, the Planning Board agreed to advertise for a public hearing at the January 19th meeting.

b. RZ-16-02: Gateway Overlay District Zoning Map Amendment.

Chairperson Vincenz said the Town Council approved the Gateway concept and now it is back to the Planning Board to call for a public hearing to approve the map. A public hearing will also be held on January 19th.

Administrative Items

A. Director and Staff Comments:

The CRC has not made comments yet on the Land Use Plan Update.

Richard Hathcock made the announcement that January 4th would be his last day as he has accepted a new position in Horry County.

B. Board Member Comments and Request for Future Agenda Items

Chairperson Vincenz said that the Town Council passed four of the Planning Boards projects.

- The Gateway Corridor
- Privacy Fences for Single Family Residential
- Definition of Impervious Surface
- Fill and Grade Requirements for the UDO

Chairperson Vincenz said that an item for future consideration is that MB-2 and MUD districts in the UDO needed to be separated. There was intention for this to be worked on but it did not get to that stage.

Also, Rich Cerrato mentioned at the Council meeting that they were waiting for a memo by the Planning Board on why changes were made regarding Town Council no longer reviewing subdivision plans. Chairperson Vincenz did not believe there was a change as the standard applied today has always existed. Wes was in agreement. Wes further stated that the Town Clerk has undertaken extensive research as to why this may have happened if at all. Chairperson Vincenz said there is no need to pursue research as this has been in existence for many years. Wes recommended that the Chairperson draft a memo to Council saying that there is no evidence that this standard has been changed.

Richard said that the pine straw flyer has been updated and is available in the building inspection lobby and posted on the Town website.

Public Comment:

John Corbett; 1313 Canal Drive: John showed pictures to Board members from his cell phone of Riverside Drive, North Shore Drive, and parts of Canal Drive and other canal properties that were under water during Hurricane Mathew. The water then receded in about an hour with little damage to property.

Charlie Nern; 647 Oyster Bay Drive: The current Pelican Square is an eye sore and I am very happy to see this proposed development. It is a nice development that will be an enhancement for the Town.

Adjournment: 10:05 AM. CHAIRPERSON VINCENZ ASKED FOR A MOTION TO ADJOURN. MOTION MOVED BY GREG JENSON. SECOND WAS MADE BY NOELLE KEHRBERG. MOTION CARRIED UNANIMOUSLY.

Town of Sunset Beach
Planning Board

Tom Vincenz, Chair Person

Submitted by:

Cindy Nelson, Planning Board Secretary

***Minutes from the December 1, 2016 meetings were approved at the December 15, 2016 meeting.